



Taxation, Revenue, and Utilization of Expenditures (TRUE) Commission

Bruce Glassman, Chair
Tom Crabtree, Vice Chair

Meeting Minutes
October 19, 2004
4:00 p.m.

Attendance: Bruce Glassman (Chair), Dick Berry, Tony Bates, Lou Myers, Marcella Lowe, Charles Curley, John Palombi, Louvenia Tippins, Tom Crabtree, Mike Meroney, Charles Magee, Elaine Burnett

Excused: Randall Deen, Lee Martin, Mark Roesser

Absent: Don Wolfson, Dan Davis

The meeting convened at 4:05 p.m. with a quorum present.

Minutes

The minutes of the September 21, 2004 meeting were previously distributed.

.. The minutes were **approved as distributed**.

Committee Reports

Audit #541 – Jacksonville Children's Commission: the item was deferred to the next meeting.

Audit #580 – First Coast Black Business Investment Corporation: a draft report of the committee was distributed to the members and discussed. The suggestion was made to split the committee report into two separate documents – those findings and questions specifically with regard to First Coast Black Business Investment Corporation, and separate findings and recommendations relating to the public service grant process outlined in Ordinance Code Chapter 118. Committee member Bates proposed additional wording to be included in the final report, including several footnotes and a statement about why the committee did not meet with representatives of First Coast BBIC. After some discussion, action on the final report was deferred to the next meeting to ensure that all committee member comments are properly reflected in the report documents and can be read and considered by the other commissioners.

During the discussion of the committee's consideration of proposed amendments, TRUE staff member Jeff Clements urged the commissioners to be cognizant of Florida's broad open meetings law ("Government in the Sunshine") and cautioned against inadvertently circumventing the requirement for noticed public meetings through the circulation of proposed wording changes via e-mail. Commissioners were reminded that they may communicate via phone, e-mail or writing to schedule meetings (which then must be properly noticed in advance) or to suggest changes in wording of a document, but no binding decisions may be made through such remote communication. Proposed amendments may be circulated for advance review by the members, but the committee must assemble in a properly noticed meeting to take any binding action.

Staff was requested to circulate to the members a copy of whatever written document is available from the City Council or General Counsel's office that explains the Government in the Sunshine law and its application to boards and commissions.

Performance Measurement Committee: Commissioner Palombi reported that the committee had met twice since the last commission meeting to discuss the returns on its questionnaire. To date the committee has received 6 complete responses, 3 acknowledgements of receipt with promises to respond, and approximately 12 non-responses. Follow-up letters were sent to all the original recipients, either in the form of a thank-you for a complete response or a promise to respond, or a request to please consider responding to the questionnaire. The committee was pleased with the quality of the full responses thus far. Mr. Palombi also noted that GPATE Committee Chair Suzanne Jenkins asked for a report to her committee on the results of the survey and seemed very supportive of its goals. The GPATE Committee is interested in pursuing a performance agenda, and asked TRUE representatives to attend GPATE and comment on a monthly basis.

Powers and Duties Committee – 57.105(b): deferred

Powers and Duties Committee – 57.105(f): deferred

Audit #589 – JEA Pipe Bursting Contract: staff distributed a letter from Commissioner Martin requesting the appointment of a full committee to discuss this audit, which he volunteered to chair. Commissioners Deen and Meroney were appointed to join Mr. Martin on the committee.

Audit #592 – Fleet Management: Commissioner Berry announced that the committee will meet one last time to wrap up its report on the audit. Any additional comments or suggestions from committee members or other commissioners should be submitted by Monday, November 1st.

Cash Management Committee: Commissioner Lowe reported that she had talked to Mitchell Perin in the General Accounting Division this morning and the City's new cash management policy is nearing completion of its approval process. Mr. Perin requested to appear on the November TRUE Commission agenda to discuss the new policy, assuming the approval process is complete by then. Pam Markham indicated that the Council Auditor's Office had not yet seen the new policy, and she would request a copy for her office to review as well. Chairman Glassman stated that he would confirm with the Auditor's Office that they had received a copy and were ready to discuss it before placing the topic on the November agenda.

Auditor's Report: Ms. Markham reported that the Auditor's Office is involved in reviews of both the county courthouse project and the proposed new Shipyards economic development project. The 2004/05 budget wrap-up report should be issued soon. Audits currently underway include audits of public parking, the Tax Collector's occupational license function, and revenue and cash handling in the Community Services Department.

Chairman's Report: Chairman Glassman discussed his meeting with Council Auditor Richard Wallace and their proposal for how audits would be reviewed. He proposed that the Auditor's Office inform TRUE Commission staff when completed audits are posted on the Auditor's Office web site, and that this information be forwarded electronically to all commission members for them to access the reports on-line. Commissioners who are not e-mail and Internet-equipped or whom otherwise want one will receive their printed reports via postal mail. New audits will subsequently be placed on the commission agenda for discussion upon the request of the Council Auditor or of any TRUE commissioner. When so scheduled, the Auditor's Office will be prepared to discuss the audit in detail at the meeting, and will invite representatives of the audited department or agency to attend to hear the discussion and answer any questions that may be posed

The new procedure is being proposed to help speed the pace of audit reviews. It was noted that an audit may take as much as a year to complete and that if review by the TRUE Commission and the GPATE Committee takes months more, it can be as much as two years

since the start of the audit process for some action to finally be taken. The hope is that the findings and recommendations of the audits can be more quickly approved and put into action.

Commissioner Bates noted that the commission's authorizing ordinance states that it shall review all audits, and he recommended that the commission either do that or seek to have Chapter 57 amended to soften the requirement to review all audits. Commissioner Palombi noted that the commission's policies and procedures manual lays out a procedure for reviewing audits, and suggested that perhaps one commissioner could be assigned each audit that is released to review it and flag any items that seem to require further review and consideration by the commission. Annual financial reports would always be presented to the commission, and special topics, studies or legislative changes could be suggested for study by the Council Auditor, GPATE Chair, or any TRUE commissioner.

On the subject of potential study topics, Chairman Glassman suggested that the relationship between TRUE and the constitutional officers seems to be the source of some confusion. Are they really local or state officials, and what is TRUE's authority to question or study their operations? He will look into the matter further and report back. With regard to the Jacksonville Airport Authority, Mr. Glassman wondered what effect the current turmoil in the airline industry might have on the authority's operations and finances. Do Jacksonville taxpayers face any potential fiscal liability if, for example, USAirways and Delta Airlines were both to succumb to bankruptcy and go out of business, potentially dealing a serious blow to the JAA's operational revenues? He wondered about the lack of financial data (i.e. annual reports) on the JAA's web site compared to other independent authorities, and about the wisdom of the JAA diversifying into the real estate and golf course businesses. He also noted recent media reports about no-bid contracts and other potentially questionable business practices, and was concerned that all of these issues might be pointing to a larger underlying problem at the authority.

Kim Taylor of the Auditor's Office reported that they get some financial data every year from the JAA. The authority has gone back-and-forth with its internal audit functions, first hiring an employee in-house, and then later contracting it out to a Big 4 auditing firm. The Auditor's Office is open to suggestions from the TRUE Commission about issues that need examining with regard to the Airport Authority. Chairman Glassman requested copies of the JAA's financial report from the most recent fiscal year.

Commissioner comments

Commissioner Burnett expressed an interest in the commission studying the application of the federal Hill-Burton Act regarding health insurance and ability to pay in hospital emergency rooms, particularly as it relates to publicly-funded Shands Medical Center. After personal experience in being refused care, she is curious about who makes the decision on whether a patient can receive emergency room care – a doctor or the financial office? The law states that emergency rooms may not refuse any patient necessary emergency care, but apparently the definition of "emergency" is crucial. The chairman asked that the item be placed on the agenda for the November meeting and the Commissioner Burnett explore the issue further to discuss at that time.

Next meeting

The commission's next meeting will be on Tuesday, November 16th at 4:00 p.m.

There being no further business, the meeting was adjourned at 6:00 p.m.

Items pending further follow-up

Children's Commission audit – Commissioners Wolfson and Bates
Cash Management Committee – Commissioner Lowe
JEA Pipe Bursting audit committee – Commissioner Martin
Performance Measurement Committee – Commissioner Palombi
First Coast Black Business Investment Corporation – Commissioner Bates

Powers and Duties – 57.105(b) – Commissioners Curley and Myers
Powers and Duties – 57.105(f) – Commissioners Roesser, Glassman and Palombi
Fleet Management audit – Commissioner Berry
Housing Commission response to TRUE inquiries – Chairman Glassman
JEDC reorganization – Commissioners Berry and Bates
Better Jacksonville Plan courthouse and roadway projects update – Chairman Glassman
TRUE Commission Purposes – 57.104 – Commissioner Roesser
Hill-Burton Act application in hospital emergency rooms – Commissioner Burnett